GOVERNMENT OF KERALA
Labour and Rehabilitation (B) Department
NOTIFICATIONS

S. R. O. No. 345/2009.—In exercise of the powers conferred by section 87 of the Employees State Insurance Act, 1948 (Central Act 34 of 1948) read with Section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation hereby exempt Government Servants Co-operative Canteen Limited No. 4283, Collectorate P. O., Kottayam from the operation of the provisions of the said Act for a period from 1st June, 2007 to 31st December, 2007 subject to the following conditions, namely :—

(1) The society shall maintain a register showing the names and designations of its employees ;

(2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;

(3) The contribution for the exempted period if already paid, shall not be refunded ;

(4) The society shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;

(5) The society should be brought under **ESI** coverage with effect from 1st April 2009 onwards.

(6) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall for the purpose of—

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 of the said Act ; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950, for the said period ; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification ; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said society be empowered to—

(a) require the society to furnish to him such information as he may consider necessary ; or

(b) enter any factory, establishment, office or other premises occupied by the said society at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment or persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the officers of the society servants of the said society or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from any register, account books or other documents maintained in such society office or other premises of the said society.

By order of the Governor,

S. ABDUL KHAFOOR,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Administrative Committee Convenor, Government Servants Co-operative Canteen Limited No. 4283, Collectorate P. O., Kottayam has requested the Government to exempt the Society from the provisions of the Employees State Insurance Act, 1948 for the period from 1st June, 2007 to 31st December, 2007.

In consultation with the Regional Director, Employees' State Insurance Corporation, Thrissur, Government have decided to exempt the said Society from the provisions of said Act for a period from 1st June, 2007 to 31st December, 2007.

This notification is intended to achieve the above purpose.